

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

PAMELA ARMISTED, et al.,

Plaintiffs,

v.

STATE FARM MUTUAL AUTO-
MOBILE INSURANCE COMPANY,

Defendant.

CIVIL ACTION NO. 07-10259

DISTRICT JUDGE ARTHUR J. TARNOW

MAGISTRATE JUDGE DONALD A. SCHEER

**ORDER DENYING PLAINTIFFS' MOTION TO ALTER/EXPAND
RULE 33 AND RULE 30 LIMITATIONS ON DISCOVERY**

Plaintiffs' Motion to Alter/Expand Rule 33 and Rule 30 Limitations on Discovery was referred to the undersigned magistrate judge for hearing and determination. The parties appeared, by counsel, for hearing on November 13, 2007. By Stipulation of the parties, the assigned district judge has entered an Order governing Defendant's obligation to respond to Plaintiffs' Request for Admissions, Interrogatory and Request for Production dated October 5, 2007 (First Set), Plaintiffs' Request for Production of Documents to Defendant dated October 5, 2007 and Plaintiffs' Request for Admission, Interrogatory, and Request for Production of Documents dated October 5, 2007 (Second Set). Accordingly, all matters raised in the pending Motion which are addressed in the Stipulated Order are resolved.

Having reviewed Plaintiffs' Motion, together with Defendant's Response, and having heard the arguments of counsel, the court finds that Plaintiffs' Motion for relief from the 25 Interrogatory limit in Fed.R.Civ.P. 33 is denied. The Rule provides that any party may serve up to 25 interrogatories, including all discrete subparts. Each party Plaintiff is entitled to 25 interrogatories under the Rule. The court finds that Plaintiffs have not established a

need for the submission of interrogatories in excess of the number allowed under the Rule. Accordingly, Plaintiffs' may designate those interrogatories, previously served, within the limit described above, to which Defendant must respond. Defendant shall have twenty eight (28) days from and after the designation within which to provide written responses as provided by the Rule.

IT IS FURTHER ORDERED that Plaintiffs may depose Tammy Stein, an agent of the Defendant, upon reasonable notice, at the offices of defense counsel in Lansing, Michigan. Based upon Plaintiffs' representation that Ms. Stein administered the claims of three parties Plaintiff, the deposition shall be divided into three segments. Each segment shall deal solely with the activities of the deponent with respect to one of the three Plaintiffs whom she serviced. Each segment of the deposition shall be no longer than seven (7) hours in duration. Any balance of the seven (7) hour period remaining unused at the termination of Plaintiffs' examination as to the particular Plaintiff involved shall be forfeited.

All of which is ordered this 19th day of November, 2007.

s/Donald A. Scheer
DONALD A. SCHEER
UNITED STATES MAGISTRATE JUDGE

CERTIFICATE OF SERVICE

I hereby certify on November 19, 2007 that I electronically filed the foregoing paper with the Clerk of the Court sending notification of such filing to all counsel registered electronically. I hereby certify that a copy of this paper was mailed to the following non-registered ECF participants on November 19, 2007. **None.**

s/Michael E. Lang
Deputy Clerk to
Magistrate Judge Donald A. Scheer
(313) 234-5217